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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/939,643	08/28/2001	Atsushi Murakami	249-194	4473

7590 01/29/2004
NIXON & VANDERHYE P.C.
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714

EXAMINER

VO, HAI

ART UNIT	PAPER NUMBER
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1771

DATE MAILED: 01/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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0119

DATE MAILED:

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Commissioner for Patents

The amendment filed on 10/23/2003 is deemed non-compliant and Applicant is given 1 month to provide a proper response to the last Office Action. The amendment drawn to a non-elected invention is non-responsive. The currently amended claims are not readable on the elected invention because the amended claims now require an article having a joint and a shape memory foam whereas the elected invention requires only a shape memory foam.

Ula C. Ruddock
Primary Examiner
Tech Center 1700

Non-Responsive Amendment

1. Applicant's amendment of 10/23/2003 is deemed non-compliant and Applicant is given 1 month to provide a proper response to the last office Action. The amendment drawn to a non-elected invention is non-responsive (MPEP § 821.03). The currently amended claims are not readable on the elected invention because the currently amended claims now require an article having a joint and a shape memory foam whereas the elected invention requires only a shape memory foam.
2. The current status of claim 9 must be given as withdrawn, not original in accordance with revised amendment practice. Therefore, the amendment is not entered.
3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai Vo whose telephone number is (571) 272-1485. The examiner can normally be reached on M,T,Th, F, 7:00-4:30 and on alternating Wednesdays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrel Morris can be reached on (571) 272-1478. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-0994.